



**SHREWSBURY PLANNING BOARD
SHREWSBURY, MASSACHUSETTS**

MINUTES

Regular Meeting: July 7, 2005 - 7:00 P.M.

Location: Selectmen's Hearing Room - Municipal Office Building

Present: Melvin P. Gordon, Chairman
Stephan M. Rodolakis, Vice-Chairman
Jill R. Myers Clerk
Kathleen M. Keohane
Donald F. Naber

Also Present: Eric Denoncourt, Engineer/Planner

Mr. Gordon opened the meeting at 7:00 P.M.

1. Approved Minutes

The Planning Board noted that Minutes for June were still being prepared.

2. Signed bills.

3. Meetings and Hearings

7:00 P.M. Board Member Comments

**7:05 P.M. Hawthorne Green, Preliminary Subdivision
Informal Public Hearing, Continued from April 7, 2005
Location: Colonial Drive, east of Bridle Path
Decision Deadline: August 15, 2005**

Mr. Rodolakis abstained from the hearing due to possible conflict of interest.

Attending the hearing were Developer Joe Johnson and Attorney Brian Levey.

Attorney Levey said regarding the question of the roadway in, the question was does the applicant have the right to use this right-of-way to access property with addition of 600 foot roadway. He said he felt the real question is can the Planning Board regulate access to a subdivision and not just merely the roadway within? He said he was asked to research this.

Attorney Levey said he thinks there is more of an issue, and used Colonial Farms Subdivision as an example of lengthy roads, and listed court cases related to this. He stated that there is a 1990 court precedent that court can overturn a Board if a decision is not consistent with past decisions.

Ms. Keohane asked the timing with the regulations. Attorney Levey said they are researching this.

Ms. Myers asked where in Colonial Farms where the road is built off a right-of-way, easement, etc. Attorney Levey said this was not relevant and explained court cases.

Mr. Gordon asked if they had looked any further into putting the road into Boylston.
Mr. Johnson said that parcel may not be useable and it is in bankruptcy; they are waiting for some resolution.

Mr. Gordon listed the following concerns:

- 1) adequacy of access – just an extension of Colonial Drive?;
- 2) concern of right-of-way;
- 3) public safety;
- 4) concern of lack of ability to access road from Boylston;
- 5) developer having the ability to submit bond to do this project.

Mr. Denoncourt listed the following concerns:

- 1) stated submittal requirements have not been met;
- 2) length of dead end road – clarified how dead end is determined and explained that as far as consistency, they are asking 50% more of roadway. Attorney Levey basically said looking at the final length it is actually shorter.
- 3) stated there are two ways to go to Colonial Drive; Attorney Levey did agree with that.

Mr. Gordon officially closed the hearing.

**7:10 P.M. Residences at Flint Pond, Senior Housing
Special Permit and Site Plan Approval
Public Hearing, Continued from June 2, 2005
Location: Hartford Pike (Route 20), southeast of Lake Street
Decision Deadline: 65 days from the close of the hearing**

Attending the hearing were Attorney Kevin Byrne representing the developers; Rob Barsamian – Project Manager for the development; Roy Smith – the engineer from BSC Group; Bart Lepinski – the landscape architect; Samuel Offei-Addo – Transportation Engineer; and Domenick Maiellaro, RA – from Prellwitz/Chilinski Associates, Inc. (PCA).

Mr. Smith gave an overview of the status of the project:

- 1) reviewed letter dated June 28, 2005;
- 2) proposing 70% open space;
- 3) regarding the Fire Chief's comment for the length of road – they will ask for a waiver even though this is not a subdivision;
- 4) added more sidewalks, some on both sides of the street;
- 5) added decorative crosswalks (not painted);
- 6) sprinklers will be in all units;
- 7) will use looping system, but proposing to go through narrowest point of wetland area where there is already some disturbance from dirt bikes, etc. and there is a car sitting in this area. They will be filing with the Conservation Commission with this.

Mr. Smith reviewed the proposed phases with Phase 6 being the commercial business phase, but commented the phasing would be market driven.

Mr. Smith also reviewed the parking, including the visitor parking.

Mr. Maiellaro reviewed the type of units and submitted architect plans.

Mr. Rodolakis commented that it seemed like there was a lot of roof asphalt visible especially on the 4-unit buildings. Mr. Smith said the location of the buildings will break up the appearance.

Mr. Gordon commented as follows:

- 1) consider parking-under for the 12-unit building; Mr. Smith said there is a topographical issue, but it could be looked at.
- 2) consider spacing of the buildings – bring some closer; Mr. Barsamian commented that this could be a marketing issue.

Mr. Lepinski gave an overview of the site. He said they added buffer areas especially where some may be looking at buildings. He listed the following landscape areas:

- 1) a buffer along Route 20;
- 2) landscaping at amenity area;
- 3) landscaping at front of buildings;
- 4) landscaping at sign at entrance and the separate commercial entrance;

Mr. Lepinski said one plant will be taken off the landscape list as it is now being considered evasive.

Mr. Rodolakis commented that he would follow the lead of the Conservation Commission on the plantings. Mr. Smith commented that the Conservation Commission jurisdiction is buffer, but they would comment on the plant that is invasive at the meeting.

Mr. Offei-Addo reviewed the traffic report and said they looked at the site distance. He said they propose some widening at Lake Street and they have talked to Mass. Highway. He said Mass. Highway has agreed to repave Lake Street and provide a right turn only onto Lake Street, and this will take place regardless of this project.

Mr. Rodolakis expressed concern about circulation within the site, and said he hopes more information is provided.

Mr. Gordon made the following comments:

- 1) have a pedestrian phase on light signal;
- 2) said Board is looking to rezoning area – consider sidewalk be put from Purinton to project and maybe be able to go to commercial business to project. Mr. Smith commented that this is something that would be looked at during the commercial business construction, when the road is widened. Mr. Gordon just said he would like this included in the plan.
- 3) suggested maybe hiring a consultant to work with the Board and advise the Board as to best use of development.

There was discussion of the commercial business and what's going to go there. The Board asked that maybe they come up with definition of what he might think the commercial business would be for the Board's review.

Mr. Gordon had the following comments about the plan:

- 1) Page 2 of 41 – there needs to be a wording correction;
- 2) consider commercial corner and northeast corner;
- 3) why not slope granite?

There was further discussion on sidewalks.

Paula Collins, 31 Flagg Road, inquired as to why the commercial business area isn't just residential. She expressed concern about commercial business affecting the beautification of Route 20; said it almost seems conflicting interest. Mr. Gordon commented on Master Plan and Route 20 Improvement Plan.

Mr. Gordon continued the hearing to August 4, 2005, at 7:05 P.M.

7:15 P.M. Preliminary Plan off Nelson Point Road
Informal Public Hearing, Continued from June 2, 2005
Location: Nelson Point Road, west of Lake Street
Decision Deadline: August 15, 2005

Attending the hearing were Attorney David Brown – the developer; and John Bensley – the engineer from Beals and Thomas.

Attorney Brown said he has a letter from the Title Examiner which he will send to Mr. Denoncourt. He said basically the letter said the road can be constructed as a matter of right, and can construct 40-foot right-of-way. He said he will construct a sidewalk on the opposite side of the road from wetland. He commented that the road can be brought up to standards.

Attorney Brown said ANR plans could be submitted for 14 lots.

Ms. Myers commented that she felt the plan is tight, especially lots #10 and #19.

Attorney Brown commented that these homes will be lower priced and smaller in size.

Ms. Keohane expressed concern about Lot #9 and asked about the swale going under the transmission line.

Mr. Rodolakis listed the following issues:

- 1) wants to see letter from the Title Examiner;
- 2) concern of the maximization of the lots;

Mr. Gordon listed the following concerns:

- 1) the same maximization issue – look at clustering; Attorney Brown said he may look at it at the Definitive; Mr. Gordon said he thought maybe three or four lots would take duplexes;
- 2) Lot #19 – have access on Lake Street?
- 3) wondered about deed restriction to limit size of houses? Attorney Brown said he didn't think he would do this with the market change, but would be proposing a couple affordable housing.

Attorney Brown said he hasn't done the perc tests yet, and said if it doesn't pass, they may have to do a pump station. The Board noted this can be looked at, at the Definitive.

Mr. Denoncourt commented that he feels there is a market for duplexes.

Richard Bousquet, 20 Nelson Point Road, expressed concern about increased traffic. Mr. Gordon said this will be looked at, at the Definitive.

Attorney Brown commented that the end of Nelson Point Road at Lake Street would be improved.

Lillian Marshall, 422 South Quinsigamond Avenue, expressed the following concerns:

- 1) would they be taking land for road improvements; Attorney Brown said improvements would be within right-of-way;
- 2) expressed concern for water service; Attorney Brown said they will be bringing water down.

Dotty Flynn, 9 Nelson Point Road, expressed concern for knowing who's working down there and asked if vehicles could be marked.

Tracy and/or Michael Flynn, 7 Nelson Point Road, commented as follows:

- 1) sign was taken down and residents put it back up;
- 2) asked some procedural questions;
- 3) commented on only having single family homes, because these people tend to stay.

Lillian Marshall asked if the Police Chief and Fire Chief concerns are considered. Mr. Gordon said yes they are.

Dotty Flynn expressed concern for added children in this area and the increase of students in school system.

Richard Bousquet expressed concern for the affect on the pond. Mr. Gordon said this will be addressed at definitive.

Mr. Gordon continued the hearing to August 4, 2005, at 7:10 P.M.

**7:45 P.M. Ashford Crossing, Multi-Family Special Permit
Public Hearing
Location: Yorkshire Terrace, South Street @ Route 9
Decision Deadline: 90 days from the close of the hearing**

Attending the hearing was Attorney Jack Collins, representing the developers; and Ed Boiteau – the engineer from Rizzo Associates.

Attorney Collins first stated that the new name of the developer, Black Rock, is still SSR Realty. He said there is no change; they are not ready to start, as they are still doing in-house plans. He said they are working on affordable units. He also stated that they can incorporate Mr. Denoncourt's letter.

Mr. Boiteau gave a quick review of project.

The Board voted to close the hearing and approve Decision with modification of affordable units for three year period.

Mr. Gordon officially closed the hearing.

**8:00 P.M. Palm Meadow Estates, Definitive Subdivision
Public Hearing
Location: Clews Street, east of Route 140
Decision Deadline: September 13, 2005**

Attending the hearing were Christian Farland – Project Engineer from Dunn-MacKenzie; and Robert Babcock – an engineer from Dunn-MacKenzie.

Mr. Farland stated some revisions had been made from Mr. Denoncourt's June 1, 2005 comment letter. He listed the waivers they will be requesting, as submitted.

Mr. Farland reviewed the changes and said they meet the by-law requirements. He said the road is 500 feet. He commented that the grading plan has changed. He reviewed only the items in their July 7th letter which was not covered in their plan changes. He made the following comments:

- 1) #2 – concern of lot size reduction;
- 2) #12 – not economically able to do.

He said he can do plans showing driveways and elevations.

Mr. Naber said he still has traffic concerns at intersection and wants to know how it will be controlled.

Mr. Gordon listed the following issues:

- 1) asked about the easement going to Holt Street; Mr. Farland submitted a deed stating access and utility;
- 2) asked about the 8% open space;
- 3) expressed concern lots look unconventional and thinks there could be better lay-out; Mr. Babcock said road can't be moved, they can only change lot lines and reduce lots; and said they will look at it.

George Smith, 33 Clews Street, expressed the following concerns:

- 1) put a street light at the end of develop; Mr. Farland said there is one proposed.
- 2) expressed concern about the traffic patterns;
- 3) commented that he felt this subdivision is about best they can get;
- 4) expressed concern for snow removal, and that snow could be pushed onto his property; Mr. Farland said there is an area for snow on town property.

Mr. Gordon continued the hearing to August 4, 2005, at 7: 15 P.M.

**8:15 P.M. Office Building, 307 Grafton Street, Site Plan Modification
Public Hearing
Decision Deadline: 65 days from the close of the hearing**

Mr. Rodolakis abstained from the hearing due to possible conflict of interest. Attending the hearing were Frank and June Tomaiolo – the property owners and developers; Carl Hultgren – the engineer from Quinn Engineering.

Mr. Hultgren said the Tomaiolos have an opportunity to increase their business, so needs more parking spaces. He said they installed a hydrant per Mr. Denoncourt's comments. He commented, regarding the Highway Superintendent's letter dated June 21, 2005, to put an island, that they don't want to do this as suggested by Mr. Knipe. Mr. Denoncourt asked if they didn't want to install, would they at least design, and Mr. Tomaiolo said yes.

Mr. Gordon officially closed the hearing, with the agreement that the Tomaiolos will design the island.

4. New Business

a. Election of Planning Board Officers for 2005-2006

The Board voted the following Board of Officers:

Chairman - Melvin P. Gordon
Vice Chairman - Stephan M. Rodolakis
Clerk - Jill R. Myers

b. Signed forms for Worcester Registry of Deeds

4. New Business (Cont'd)

c. Appointed Planning Board Delegates to CMRPC

The Board voted the following as Planning Board delegates to CMRPC:

Kathleen M. Keohane
Jill R. Myers

d. Discussed/voted bond release and reduction for Prospect Hill (Accepted Streets)

e. Glendale Avenue

Attending the discussion was James Tetreault – an engineer from Thompson & Liston Associates, Inc., and Steve Turnblom.

Mr. Tetreault said the road is 30-feet wide right now, and is about 600-feet or just under. He said Mr. Turnblom has started to talk to neighbors about improvements. He commented this would be a subdivision.

The Board felt they could come back with a plan.

f. Voted bond amount for Summit Ridge Estates

The Board voted to approve the bond amount for Summit Ridge Estates.

5. Old Business

a. Discussed and signed Decision for Farmview Estates

The Board voted to approve the Decision as written for Farmview Estates.

b. Discussed and signed Decision for Redland Road Extension

The Board voted to approve the Decision as written for Redland Road Extension.

c. Discussed and signed Decision for Kings Brook Crossing

The Board voted to approve the Decision as written for Kings Brook Crossing.

d. Correct Bond Reduction for Stonybrook Farm II

The Board voted to approve the Decision as written for Stonybrook Farm II.

6. Correspondence

7. Miscellaneous

- a) Brian and Rebecca Kapopoulos, Gulf Street, expressed their concern for the rip-rap which was placed on their property along Gulf Street. They said they want something else used. He said they can't even access Gulf Street anymore. They expressed concern for rocks falling and said some have already. They also stated they didn't think it was aesthetically pleasing. The Board told them they might want to come back again when the people from Summit Ridge will be at meeting.

The meeting adjourned at 11:45 P.M.

Respectfully Submitted,

Annette W. Rebovich